

IN THE UNITED STATES DISTRICT COURT
FOR THE WESTERN DISTRICT OF TENNESSEE

DANIEL LOVELACE and
HELEN LOVELACE, Individually, and as Parents of
BRETT LOVELACE, deceased,

Plaintiffs,

VS.

NO.: 2:13-cv-02289-JPM-dkv

JURY DEMANDED

PEDIATRIC ANESTHESIOLOGISTS, P.A.;
BABU RAO PAIDIPALLI; and,
MARK P. CLEMONS,

Defendants.

CERTIFICATE OF GOOD FAITH ON BEHALF OF
DEFENDANT, MARK P. CLEMONS, M.D.,
IN SUPPORT OF ALLEGATIONS OF FAULT AS TO NON-PARTY

(If a defendant has alleged in an answer or amended answer that a non-party is at fault for the injuries or death of the plaintiff, this form must be completed by the defendant or defendant's counsel making such allegation.)

A. In accordance with T.C.A. Section 29-26-122, I hereby state the following:
(Check item 1 or 2 below and sign your name beneath the item you have checked, verifying the information you have checked. Failure to check item 1 or 2 and/or not signing item 1 or 2 will make such allegations of fault of a non-party subject to being stricken with prejudice.)

- X 1. I have consulted with one (1) or more experts, which may include the Defendant filing the Certificate of Good Faith, who have provided a signed written statement confirming that upon information and belief they:
- (A) Are competent under § 29-26-115 to express opinion(s) in the case;
- and
- (B) Believe, based on the information reviewed concerning the care and treatment of the plaintiff (Brett Lovelace, deceased) for the incident(s) at issue, that there is a good faith basis to allege such

fault against another consistent with the requirements of § 29-26-115.

s/ Marcy D. Magee

Marcy D. Magee

2. I have consulted with one (1) or more medical experts, which may include the defendant filing the Certificate of Good Faith, who have provided a signed written statement confirming that upon information and belief they:

(A) Are competent under § 29-26-115 to express opinion(s) in the case;

and

(B) Believe, based on the information reviewed concerning the care and treatment of the plaintiff (Brett Lovelace, deceased) for the incident(s) at issue, that there is a good faith basis to allege such fault against another consistent with the requirements of § 29-26-115.

B. You MUST complete the information below and sign:

I have been found in violation of T.C.A. Section 29-26-122 0 prior times. (Insert number of prior violations by you.)

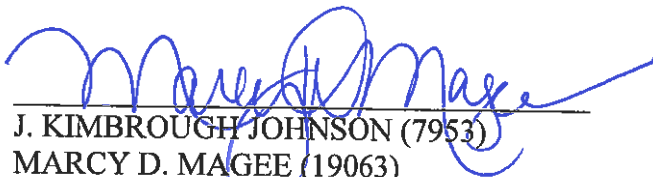
s/ Marcy D. Magee

Marcy D. Magee

5/1/2014
Date

Respectfully submitted,

LEWIS THOMASON



J. KIMBROUGH JOHNSON (7953)

MARCY D. MAGEE (19063)

40 South Main Street, 29th Floor

Memphis, TN 38103

(901) 525-8721

Attorneys for Defendant, Mark Clemons, M.D.

CERTIFICATE OF SERVICE

The undersigned hereby certifies that a copy of the foregoing has been properly served upon all counsel of record identified below:

PERSONAL & CONFIDENTIAL

Mr. Mark Ledbetter
Halliburton & Ledbetter
254 Court Avenue, Suite 305
Memphis, TN 38103
Attorney for Plaintiffs

Jerry Potter
Bradley Gilmer
The Hardison Law Firm
119 S. Main Street, Suite 800
Memphis, TN 38103-3685
*Attorneys for Defendants, Pediatric
Anesthesiologists, P.A. and Babu Rao Paidipalli, M.D.*

This 1st day of May, 2014.

s/ Marcy D. Magee
Marcy D. Magee